

IN THE DRAWINGS

Kindly enter the attached replacement drawings. A marked-up copy, including annotations indicating the changes made, is also attached. The Examiner's approval of the proposed correction is respectfully requested.

REMARKS

Reconsideration and allowance are respectfully requested.

Claims 1-27 and 29-45 are pending. Claims 1, 3, 5-13, 22-30, 40, 42 and 44 were examined on the merits. Non-elected claims 2, 4, 14-21, 31-39, 41, 43 and 45 were withdrawn from consideration by the Examiner. Claim 28 is canceled without prejudice or disclaimer because an intended use does not provide a positive limitation on the base claim directed to a product. The amendments are fully supported by the original disclosure and, thus, no new matter is added by their entry.

With regard to the requirement to correct Figure 19, corrected drawings (i.e., a red-ink sketch of the correction and a new formal drawing) are submitted herewith. Data from nasal extract and lung are shown as dark and light bars, respectively. The Examiner's approval of the proposed correction is respectfully requested.

Specification/Claim Objections

The drawings were objected to by the Official Draftsperson. Correction of Figure 19 satisfies with the Examiner's requirement.

The specification was objected to by the Examiner. The brief descriptions of Figures 8, 10-13 and 20 are corrected.

The specification was also objected to as allegedly failing to provide proper antecedent basis for the claimed subject matter. The paragraph immediately following the heading "TECHNICAL FIELD" provides proper antecedent basis for the claims.

Claims 28 and 42 were objected to as allegedly being of improper dependent form. Claim 28 is canceled and claims 42-43 are amended to correct the informality. As admitted by the Examiner on page 6 of the Action, the complex of claim 22 can be delivered by any route (e.g., intravenous, intramuscular, intratracheal, intranasal, subcutaneous, parenteral or topical administration, and direct administration to a specific organ). Therefore, the scope of claim 22 is not affected by cancellation of claim 28.

Withdrawal of the objections is requested.

35 U.S.C. 112 – Enablement

Claims 1, 3, 5-13, 22-30, 40, 42 and 44 were rejected under Section 112, first paragraph, because it was alleged that the specification "does not reasonably provide enablement for an oil-in-water emulsion for delivering a ribosome." Applicants traverse because the pending claims are not directed to delivering a ribosome.

Withdrawal of the enablement rejection made under Section 112, first paragraph.

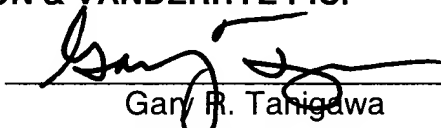
Conclusion

Having fully responded to all of the pending objections and rejections contained in this Office Action, Applicants submit that the claims are in condition for allowance and earnestly solicit an early Notice to that effect. The Examiner is invited to contact the undersigned if any further information is required.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


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24/25

FIG.19

